



DECISION MEMORANDUM FOR THOMAS J. VILSACK, SECRETARY

THROUGH:

Harris D. Sherman
Under Secretary, NRE

Mary J. McNeill 1/26/11

FROM:

For Thomas L. Tidwell
Chief

Mary Wagner

JAN 21 2011

SUBJECT:

Renewal of the Charter for the Forest Resource Coordinating
Committee

ISSUE:

The Forest Service intends to renew the charter for the Forest Resource Coordinating Committee (Committee) in order to continue carrying out the requirements of Section 8005 of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246). The charter will expire January 13, 2011.

BACKGROUND:

The Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246) (Act) (Section 8005), signed into law June 18, 2008, replaces the existing USDA Coordinating Committee with the Forest Resource Coordinating Committee. The purpose of the Committee is to provide direction and coordination of actions within the Department of Agriculture, and coordination with State agencies and the private sector, to effectively address the national priorities for private forest conservation listed below, with specific focus on owners of non-industrial private forest land:

1. Conserving and managing working forest landscapes for multiple values and uses.
2. Protecting forests from threats, including catastrophic wildfires, hurricanes, tornados, windstorms, snow or ice storms, flooding, drought, invasive species, insect or disease outbreak, or development, and restoring appropriate forest types in response to such threats.
3. Enhancing public benefits from private forests, including air and water quality, soil conservation, biological diversity, carbon storage, forest products, forestry-related jobs, production of renewable energy, wildlife, wildlife corridors and wildlife habitat, and recreation.

The Committee duties will include:

- Provide direction and coordination of actions within the Department of Agriculture, and coordination with State agencies and the private sector, to effectively address the national priorities, with specific focus on non-industrial private forest land;

- Clarify individual agency responsibilities of each agency represented on the Committee concerning the national priorities with specific focus on non-industrial private forest land;
- Provide advice on the allocation of funds, including the competitive funds set-aside for Competitive Allocation of Funds to State Foresters and Competitive Allocation of Funds for Cooperative Forest Innovation Projects (Sections 8007 and 8008 of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246)); and
- Assist the Secretary in developing and reviewing the report to Congress required by Section 8001(d) of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246).

The Committee, chaired by the Chief of the Forest Service, also includes the heads of the Natural Resources Conservation Service, the Farm Service Agency, and the National Institute of Food and Agriculture, along with non-federal representatives including: state foresters and representative of a state fish and wildlife agency, the forest industry, universities, conservation organizations, Tribes, non-industrial private forest owners, and other partners. The Committee is composed of no more than 20 members serving staggered terms.

SUMMARY:

The Forest Service intends to renew the Forest Resource Coordinating Committee so the Committee can continue to assist the Secretary of Agriculture through its advisory role.

DECISION BY THE SECRETARY

Approve: _____ Date: _____

Disapprove: _____

Discuss with me: _____

Reviewed by: _____

Enclosures

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		NUMBER:
SUBJECT: Forest Resource Coordinating Committee	DATE:	
	OPI: Forest Service	

1. AUTHORITY

The charter for the Forest Resource Coordinating Committee (Committee) is hereby re-establish pursuant to the implementation of Section 8005 of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246). The Committee is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. II.

This regulation supersedes DR-1044-006, dated January 13, 2009.

2. PURPOSE AND SCOPE

The purpose of the committee is to provide direction and coordination of actions within the Department of Agriculture, and coordination with State agencies and the private sector, to effectively address the national priorities for private forest conservation listed below, with specific focus on owners of non-industrial private forest land:

- a. Conserving and managing working forest landscapes for multiple values and uses.
- b. Protecting forests from threats, including catastrophic wildfires, hurricanes, tornados, windstorms, snow or ice storms, flooding, drought, invasive species, insect or disease outbreak, or development, and restoring appropriate forest types in response to such threats.
- c. Enhancing public benefits from private forests, including air and water quality, soil conservation, biological diversity, carbon storage, forest products, forestry-related jobs, production of renewable energy, wildlife, wildlife corridors and wildlife habitat, and recreation.

3. DESCRIPTION OF DUTIES

The Committee shall:

- a. Provide direction and coordination of actions within the Department of Agriculture, and coordination with State agencies and the private sector, to effectively address the national priorities, with specific focus on non-industrial private forest land;
- b. Clarify individual agency responsibilities of each agency represented on the Committee concerning the national priorities with specific focus on non-industrial private forest land;
- c. Provide advice on the allocation of funds, including the competitive funds set-aside for Competitive Allocation of Funds to State Foresters and Competitive Allocation of Funds for Cooperative Forest Innovation Projects (Sections 8007 and 8008 of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246)); and
- d. Assist the Secretary in developing and reviewing the report to Congress required by Section 8001(d) of the Food, Conservation, and Energy Act of 2008 (Pub. L. No. 110-246).

In providing advice the Committee may:

- a. Conduct, as part of its review, public meetings to gather and review information relevant to; and
- b. Prepare work plans that outline planned activities and timelines for accomplishing tasks responsive to the purpose and scope of this charter.

4. AGENCY OR OFFICIAL TO WHOM THE BOARD REPORTS

The Committee reports to the Secretary of Agriculture. The Forest Service Deputy Chief for State & Private Forestry, or designee, serves as the Designated Federal Officer of the Committee.

5. SUPPORT

- a. USDA shall provide the Committee with sufficient facilities in which to conduct its meetings and to provide a repository for its minutes and records.
- b. Financial, administrative, and technical support for the Committee will be provided by the Forest Service.

6. ESTIMATED ANNUAL OPERATION COSTS/STAFF YEARS

Annual operating costs are estimated to be \$150,000 with 1 full time equivalent staff support and direct costs.

7. DESIGNATED FEDERAL OFFICER

- a. The Secretary of Agriculture shall appoint a full-time employee as the Designated Federal Officer (DFO) under sections 10(e) and (f) of the FACA. The DFO will:

- (1) Approve or call all of the advisory committees' and subcommittees' meetings;
- (2) Prepare and approve all meeting agendas;
- (3) Attend all committee and subcommittee meetings;
- (4) Adjourn any meeting when he or she determines adjournment to be in the public's interest; and
- (5) Chair meetings when directed to do so by the Secretary of Agriculture.

8. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

- a. The Committee will meet on an annual basis, or as often as is necessary to complete their business. Notices of meetings shall be published in the Federal Register at least 15, but no more than 45 calendar days prior to the meeting. Two weeks' notice of each meeting shall be provided in various mass medias covering private forest lands.
- b. Members shall be notified personally of the date, time, and place of each meeting at least 60 days in advance of each meeting. Committee meetings shall be held at locations and in such a manner as to ensure adequate public participation.
- c. Meetings will be open to the public. Interested members of the public may attend meetings and submit comments to the Committee and, in accordance with Committee procedures, may speak at a meeting.

9. DURATION AND TERMINATION

The Committee's duration is continuing, however, this charter will expire two years from the date of filing.

10. MEMBERSHIP AND DESIGNATION

- a. The Committee shall consist of not more than 20 voting members appointed as follows:

- (1) The Chief of the Forest Service;
- (2) The Chief of the Natural Resources Conservation Service;
- (3) The Administrator of the Farm Service Agency;
- (4) The Director of the National Institute of Food and Agriculture;

And other representatives appointed by the Secretary of Agriculture to 3-year terms, although initial appointments shall have staggered terms,

- (5) At least three State foresters or equivalent State officials from geographically diverse regions of the United States;
- (6) A representative of a State fish and wildlife agency;
- (7) An owner of non-industrial private forest land;
- (8) A forest industry representative;
- (9) A conservation organization representative;
- (10) A land-grant university or college representative;
- (11) A private forestry consultant;
- (12) A representative from a State Technical Committee;
- (13) A representative of an Indian Tribe;
- (14) A representative from a Conservation District; and
- (15) Such other persons as determined by the Secretary to be appropriate.

- b. In the event a Committee member is unable to attend three official meetings, (in person, or by telephonic or electronic means), the Secretary of Agriculture or the DFO may remove that member from the Committee.
- c. Vacancies on the Committee shall be filled in the manner of the original appointment.
- d. As specified in the Food, Conservation, and Energy Act of 2008, the Chief of the Forest Service, or designee, shall serve as Chairperson of the Committee.
- e. The Forest Service Deputy Chief for State & Private Forestry or designee shall be the DFO for the Committee.
- f. Fifteen voting members of the Advisory Council shall constitute a quorum for a 20 member committee that will provide consensus direction. The operation of the Committee shall not be impaired by the fact that a member has not been appointed as long as a quorum has been attained. Only appointed members

may serve on the Committee. If a member is unable to attend a meeting, the member may not send a representative to act in their stead.

- g. The DFO and the Chairperson shall agree on the proposed agenda for each meeting sufficiently in advance of the meeting so that the agenda can be included in the Federal Register notice.
- h. Members of the Committee shall serve without compensation. Reimbursement for travel and per diem expenses for attendance at meetings, called by the Chairperson, and with an agenda approved by the DFO will be carried out in accordance with USDA travel regulations.
- i. The Committee may create and operate subcommittees if approved by the Secretary.
- j. Equal opportunity practices, in line with the Department of Agriculture (USDA) policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership should include, to the extent practical, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

11. RECORDKEEPING

The records for the Forest Resource Coordinating Committee shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S. C. 552.

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